

Minutes of the Regular Meeting of the Town Board, Town of Greece, Monroe County held February 15, 2017 at the Town Hall, One Vince Tofany Boulevard, Rochester, New York at 6:00 p.m.

**PRESENT:**

William D. Reilich	Supervisor
Mike Barry, Jr.	Councilman
Brett Granville	Councilman
Andrew J. Conlon	Councilman
Diana Christodaro	Councilwoman

Cheryl M. Rozzi, Town Clerk  
Brian Marianetti, Town Attorney

**PLEDGE OF ALLEGIANCE:**

Councilman Brett Granville led the Town Board in the Pledge of Allegiance. The invocation was led by Reverend Charles Roberts of John Knox Presbyterian Church.

**PROCLAMATIONS DELETIONS ADDITIONS TO THE AGENDA:**

There were four Eagle Scout certificates awarded to Simeon Alvarez, Andrew Menteer and Connor and Cody Hayes for completing the requirements necessary for the rank of Eagle Scout.

Supervisor Reilich then called Chief Patrick Phelan forward to administer the Oath of Office to Greece Police Officers Patrick Carmody and Anthony Leonardo.

*(Note: Supervisor Reilich took Agenda Items #31 and #32 out of regular Agenda Order)*

**#28 -** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to abolish one Police Sergeant position and create one Police Lieutenant position, further more; appoint Vincent Visconte and Ryan Parina to the position of Police Lieutenant effective February 25, 2017.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#29-** Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to appoint MaryBeth Kowalski and Christopher Beach to the position of Police Sergeant effective February 25, 2017.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

Chief Phelan continued administering the Oaths of Office to Lieutenants Vincent Visconte and Ryan Parina and Sergeants MaryBeth Kowalski and Christopher Beach.

**PUBLIC FORUM:**

An Open Forum was conducted to allow speakers the opportunity to address the Town Board. One speaker addressed the Town Board and the Open Forum concluded at 6:29 p.m.

**PUBLIC HEARINGS:**

6:15 p.m. — Public hearing to consider the request submitted by Anchor Baptist Church for a special use permit to operate a place of worship, to be known as Anchor Baptist Church, on property located at 25 Arcampus Drive.

Supervisor Reilich asked for a Motion to Postpone the 6:15 p.m. Public Hearing until all the information had been submitted.

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**#30-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board approved a **Motion to Postpone** this Public Hearing.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

6:16 p.m. — Public hearing to consider the request submitted by Maiden Meadows, LLC to rezone 15.45± acres from R1-18 (Single-Family Residential) to RML (Multiple-Family Residential), on property located at 1826, 1850 and 1924 Maiden Lane.

Supervisor Reilich declared the public hearing open at 6:30 p.m. to consider the request submitted by Maiden Meadows, LLC to rezone 15.45± acres from R1-18 (Single-Family Residential) to RML (Multiple-Family Residential), on property located at 1826, 1850 and 1924 Maiden Lane.

Proof of publication in the Greece Post on Thursday, February 2, 2017 was received. Mr. Richard Giraulo of Land Tech and Mr. Robert Laviano presented an overview of the project. There were seven speakers who addressed the Town Board and the hearing concluded at 7:15 p.m.

**#31-** Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board approved a **Motion to Reserve Decision** on this Public Hearing.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#32 A-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Morgan Management LLC (the “Applicant/Project Sponsor”) has submitted a request (the “Proposal”) to the Town Board (the “Town Board”) of the Town of Greece (the “Town”), Monroe County, New York, for a waiver of the requirements for a new special use permit to operate a hotel, to be known as Home2 Suites, on property located at 400 Bellwood Drive, in the Canal Ponds Business Park (“Canal Ponds”), in a BG (General Business) Zoning District; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. On July 21, 2015, the Town Board approved the Applicant/Project Sponsor’s request for a special use permit to operate a hotel in a freestanding building that is to be constructed at an undeveloped site (the “Premises”) in Canal Ponds, an industrial/office/retail business park (the “2015 Special Use Permit Approval”).
2. Pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the “Zoning Ordinance”), a special use permit shall expire if the use does not begin operation within one year of the date on which approval for such permit was granted (Zoning Ordinance, Section 211-60A(4)(a)[1]).
3. The Applicant/Project Sponsor did not begin construction of the proposed hotel, and the hotel did not begin operation before the 2015 Special Use Permit Approval expiration date of July 21, 2016.
4. On June 21, 2016, the Town Board granted two extensions, each for a period of three months, of the 2015 Special Use Permit Approval in accordance with the provisions of the Zoning Ordinance, Section 211-60A(4)(b) (the “2016 Extensions”).
5. On January 21, 2017, the 2016 Extensions expired.
6. On October 7, 2015, the Town’s Planning Board approved a site plan for the construction of the proposed hotel.
7. The Applicant/Project Sponsor has proposed no changes in the location, nature, duration, or intensity of the construction and operation of the proposed hotel.

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8. The Proposal amounts to a renewal of the 2015 Special Use Permit Approval, and the Applicant/Project Sponsor has requested no material change in permit conditions or the scope of permitted activities.
9. Upon review of the Proposal, the Town Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, § 617.5(c)(26).)
10. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action relative to the Proposal.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#32 B-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Morgan Management LLC (the "Applicant") has submitted a request (the "Proposal") to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for a waiver of the requirements for a new special use permit to operate a hotel, to be known as Home2 Suites, on property located at 400 Bellwood Drive, in the Canal Ponds Business Park ("Canal Ponds"), in a BG (General Business) Zoning District; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. On July 21, 2015, the Town Board approved the Applicant/Project Sponsor's request for a special use permit to operate a hotel in a freestanding building that is to be constructed at an undeveloped site (the "Premises") in Canal Ponds, an industrial/office/retail business park (the "2015 Special Use Permit Approval").
2. Pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), a special use permit shall expire if the use does not begin operation within one year of the date on which approval for such permit was granted (Zoning Ordinance, Section 211-60A(4)(a)[1]).
3. The Applicant/Project Sponsor did not begin construction of the proposed hotel, and the hotel did not begin operation before the 2015 Special Use Permit Approval expiration date of July 21, 2016.
4. On June 21, 2016, the Town Board granted two extensions, each for a period of three months, of the 2015 Special Use Permit Approval in accordance with the provisions of the Zoning Ordinance, Section 211-60A(4)(b) (the "2016 Extensions").
5. On January 21, 2017, the 2016 Extensions expired.
6. On October 7, 2015, the Town's Planning Board approved a site plan for the construction of the proposed hotel.
7. The Applicant has proposed no changes in the location, nature, duration, or intensity of the construction and operation of the proposed hotel.
8. In the 2015 Special Use Permit Approval, the Town Board's found that the location, nature, duration, and intensity of the Proposal: (a) would not adversely affect the orderly pattern of development in the area; (b) would be in harmony with nearby uses; (c) would not alter the essential character of the nearby neighborhood, nor be detrimental to the residents thereof; (d) would not create a hazard to health, safety, or the general welfare; (e) would not be detrimental to the flow of traffic; and (f) would not place an excessive burden on public improvements, facilities, services, or utilities.
9. The Proposal amounts to a renewal of the 2015 Special Use Permit Approval, and the Applicant has requested no material change in permit conditions or the scope of permitted activities.

10. Having considered the Proposal and all additional information that may be relevant to the Proposal, it is in the public interest to grant the requested waiver of the requirements to obtain a new special use permit, and said waiver is warranted by the particular circumstances of said request, for the reasons stated hereinabove.

NOW THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the “Zoning Ordinance”), the request submitted by Morgan Management LLC (the “Applicant”) for a waiver of the requirements for a new special use permit to operate a hotel, to be known as Home2 Suites, on property located at 400 Bellwood Drive, in the Canal Ponds Business Park (“Canal Ponds”), in a BG (General Business) Zoning District, hereby be and the same is approved and granted, said waiver to run until February 15, 2018, subject to the following conditions:

1. The Applicant shall operate this hotel in conformity with all details of the Proposal, as presented in the written descriptions and various maps, plans and illustrations of the Proposal, as orally described at the Hearing, and as set forth herein. In the event of any conflict among the oral or written descriptions of the Proposal, the various maps, plans and illustrations of the Proposal, or the requirements or restrictions of this resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.
2. The maximum occupancies in this hotel shall be the limits established by the Town’s Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code and all applicable requirements for the installation/maintenance of a grease trap. Failure to comply with such requirements may be grounds for revocation of this special use permit.
4. The Applicant shall submit a request to the Town of Greece Planning Board for site plan and subdivision reapproval in order to address the details of site development issues, including but not limited to: landscaping and buffering; lighting; parking; vehicular and pedestrian access for the Premises; on-site vehicular and pedestrian circulation; utilities; grading; storm water management; and architectural appearance.
5. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
6. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
7. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.
8. Upon the sale or other transfer of controlling interest in this hotel to any person or entity other than Morgan Management LLC, its wholly owned subsidiaries, its franchisors, or its franchisees, a new application for a special use permit must be submitted to the Town Board.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

#33- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to make various budget adjustments and transfers as per the list attached.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

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#34- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to to purchase Seven (7) Ford Interceptor SUV, One (1) Ford Expedition, One (1) Ford Explorer and One (1) Ford Fusion to replace fleet vehicles.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                  Nays 0

#35- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, 1 Vince Tofany Boulevard, Greece, New York 14612, 3:00 p.m., March 7, 2017, at which time they will be publicly opened and read aloud for the following:

One (1) Ford Fusion

All bids must be endorsed, with the title of purchase to which they relate, the name and address of the bidder, and shall be in conformity with the bidding sheets and specifications, which will be furnished by the Town Clerk and are now available, and be it further

RESOLVED that the Town Board reserves the right to reject any and all bids received.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                  Nays 0

#36- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that the Town Board grant authorization to enter into various agreements (list attached) for programs associated with the operation of the Greece Community and Senior Center;

BE IT FURTHER

RESOLVED that the Supervisor is authorized to execute said agreements.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                  Nays 0

#37- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

WHEREAS, this Board has previously resolved to invite sealed bids for the 2017 Specifications for Assorted Plow Parts.

WHEREAS on Tuesday February 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Northern Supply Inc.	\$74,685.00
Chemung Supply	\$75,660.00
George & Swede Sales & Service	\$23,915.60

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the 2017 Specifications for Assorted Plow Parts to Northern Supply Inc., PO Box 69, 2959 Ashman Road, Bloomfield, NY 14469, in the amount of \$74,685.00. Two other bids were received not complete or meeting specifications.

BE IT FURTHER

RESOLVED, that the Supervisor is authorized to enter into a contract with Northern Supply Inc.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                  Nays 0

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#38- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

WHEREAS, this Board has previously resolved to invite sealed bids for the 2017 Purchase of Grass Seed for Countryside Blend.

WHEREAS on Tuesday February 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Van Putte Seed Co., Inc.	\$1.60 per lb.
Crop Production Services	\$1.67 per lb.

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for 2017 Purchase of Grass Seed to the low bidder, for the Countryside Blend, to Van Putte Seed Co., Inc., 136 North Avenue, Greece, NY 14626.

BE IT FURTHER

RESOLVED, that the Supervisor is authorized to enter into a contract with Van Putte Seed Co., Inc.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

#39- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

WHEREAS, this Board has previously resolved to invite sealed bids for the 2017 Purchase of Grass Seed for Contractors Blend.

WHEREAS on Tuesday February 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Crop Production Services	\$.78 per lb.
Van Putte Seed Co., Inc.	\$1.10 per lb.

NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for 2017 Purchase of Grass Seed to the low bidder, for the Contractors Blend, to Crop Production Services in the amount of \$.78 per pound.

BE IT FURTHER

RESOLVED, that the Supervisor is authorized to enter into a contract with Crop Production Services.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

#40- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

WHEREAS, this Board has previously resolved to invite sealed bids for the 2017 Ready-Mix Concrete

WHEREAS on Tuesday February 8, the following bid was received:

<u>BIDDERS NAME</u>	<u>AMOUNT</u>
Fulmont Ready-Mix Co., Inc. dba	
Rochester Concrete	\$104.75 per cubic yd.
Hanson Aggregate	\$106.00 per cubic yd.
Northrup Materials	\$120.00 per cubic yd.
Manitou Concrete	\$122.00 per cubic yd.

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NOW THEREFORE, be it

RESOLVED that this Town Board award the bid for the 2017 Ready-Mix Concrete to the low bidder, Fulmont Ready-Mix Co, Inc., DBA Rochester Concrete, 1250 River Front Center, Amsterdam, NY 12010, in the amount of \$104.75 per cubic yard.

BE IT FURTHER

RESOLVED, that the Supervisor is authorized to enter into a contract with Fulmont Ready-Mix Co., Inc. DBA Rochester Concrete.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

#41- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to extend the bid for Street Lighting Maintenance-Electrical throughout the Town of Greece with Power and Construction Group, Inc., 96 West River Road, PO Box 196, Scottsville, NY 14546, for an additional six (6) months with no changes in pricing and bid specifications.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

#42- Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, 1 Vince Tofany Boulevard, Greece, New York 14612, 3:00 p.m., March 7, 2017, at which time they will be publicly opened and read aloud for the following:

- 2017 Body Repair and Painting of Large Trucks and Construction Equipment
- 2017 Concrete Repair and Replacement Program

All bids must be endorsed, with the title of purchase to which they relate, the name and address of the bidder, and shall be in conformity with the bidding sheets and specifications, which will be furnished by the Town Clerk and are now available, and be it further

RESOLVED that the Town Board reserves the right to reject any and all bids received.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

#43- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to declare all wood chips and leaf compost the Town generates as surplus.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

#44- Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to purchase two (2) Heavy Duty Six-Wheel Plow Trucks using the Onondaga County Bid.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

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**#45-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to accept a sidewalk waiver application for 1110 Stone Road from ZCJ Automotive. Under the terms of the application ZCJ Automotive would pay \$9,000.00 and not be required to construct a sidewalk along the right-of-way frontage on Stone Road. Easement will be provided to the Town.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#46-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to apply for 2016 Urban and Community Forestry Grant Round 13, Matching Grant, through the New York State Department of Environmental Conservation for Tree Planting or Tree Maintenance Projects DEC01-UCF2-2016.

BE IT FURTHER,

RESOLVED, that the Supervisor is authorized to execute all related documents.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#47-** Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to approve of the following people to the Greece Special Police:

- Michael Streb
- Stephen Placious
- Kirsten Luedke
- Kenneth Swol
- Samuel Coolidge
- Adam Shepard
- David Wheeler
- Sherman Stafford
- Nicolas Mattle
- Michael Simeone

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#48-** Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, 1 Vince Tofany Boulevard, Greece, New York 14612, 3:00 p.m., March 7, 2017, at which time they will be publicly opened and read aloud for the following:

- 2017 Harley Davidson Police Motorcycle

All bids must be endorsed, with the title of purchase to which they relate, the name and address of the bidder, and shall be in conformity with the bidding sheets and specifications, which will be furnished by the Town Clerk and are now available, and be it further

RESOLVED that the Town Board reserves the right to reject any and all bids received.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0



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**#49-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk's Office, Town of Greece, 1 Vince Tofany Boulevard, Greece, New York 14612, 3:00 p.m., March 7, 2017, at which time they will be publicly opened and read aloud for the following:

- Plumbing maintenance, repair and installation services
- HVAC maintenance, repair and installation services

All bids must be endorsed, with the title of purchase to which they relate, the name and address of the bidder, and shall be in conformity with the bidding sheets and specifications, which will be furnished by the Town Clerk and are now available, and be it further

RESOLVED that the Town Board reserves the right to reject any and all bids received.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#50-** Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization to enter into agreements with LMT Technology Solutions to provide network related security and support services. Further, authorization for the Supervisor to execute all necessary documentation.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#51-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant authorization to declare the following items as scrap:  
A Xerox Work Centre Pro 412 and Hewlett Packard Laser Jet 5.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#52-** Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to Calli Johnson to the Greece Public Library Board of Trustees for a 5 year term ending on 12/31/2021.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#53-** Councilman Granville offered the following resolution and moved its adoption; seconded by Councilman Barry:

RESOLVED that this Town Board grant authorization for the Supervisor to enter into an agreement with Baker & Taylor for a library book lease service in the amount of \$19,860.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#54-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that this Town Board grant authorization to the Supervisor to accept the proposal by Hewitt-Young to upgrade lighting in and around the Town Hall Campus to LED lighting.

BE IT FURTHER

RESOLVED that the Supervisor is authorized to sign all related documents. Hewitt-Young is the current electrical contractor for the town.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

*(Note: Supervisor called for a short recess)*

**#55-** Councilman Conlon offered the following resolution and moved its adoption; seconded by Councilman Granville:

RESOLVED that, pursuant to the requirements of section 103 of the General Municipal Law, sealed bids will be received at the Town Clerk’s Office, Town of Greece, 1 Vince Tofany Boulevard, Greece, New York 14612, 3:00 p.m., March 7, 2017, at which time they will be publicly opened and read aloud for the following:

- 2017 Cold Milling of Asphalt Pavement and Mixed Composition
- 2017 Heavy Equipment Rental and Construction Services
- 2017 Specifications for Concrete Crushing

All bids must be endorsed, with the title of purchase to which they relate, the name and address of the bidder, and shall be in conformity with the bidding sheets and specifications, which will be furnished by the Town Clerk and are now available, and be it further

RESOLVED that the Town Board reserves the right to reject any and all bids received.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#56-** Councilman Barry offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

RESOLVED that this Town Board grant adoption of the 2017 Fund Balance Policy.

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

**#57-** Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to make the following commitments of Fund Balance for future capital purposes:

▪ General Fund	\$3,000,000.00
▪ Highway Fund	\$1,000,000.00
▪ Library Fund	\$138,640.39
▪ Drainage Fund	\$300,000.00
▪ Sanitary Sewer Fund	\$400,000.00

ADOPTED:           Ayes 5           Reilich, Barry, Granville, Conlon, Christodaro  
                      Nays 0

#58- Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Conlon:

RESOLVED that this Town Board grant authorization to for the Supervisor to approve the following change orders related to the construction of the new Police Station and Courthouse additions:

- D.C.I. Construction Inc. - \$22,850.00 for extra work at the Impound lot.
- Postler & Jaeckle Corp. - \$16,102.00 for required sprinkler system modifications and;
- Billitier Electric Inc. - \$12,781.00 to extend required copper wire from the Town Hall to the Police Station

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro  
Nays 0

#59 A- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Conlon:

WHEREAS, Hi-Style Development Corporation (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 849± Flynn Road; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to rezone 10.86± acres of real property (the Premises") from R1-18 (Single-Family Residential) to R1-8 (Single-Family Residential). The Applicant/Project Sponsor proposes to construct single-family detached houses for sale, with related paved roadway and driveways, utilities, grading, lawns/landscaping/buffering, and other site modifications (the "Project"). The proposed vehicular access for the Premises is via an unsignalized driveway at Flynn Road (Monroe County Route 142, a two-lane local collector). The Premises currently consist of undeveloped land covered by brush and succession-growth trees that followed the Premises having been an open field, possibly used for agriculture in the past; a tributary stream of Buck Pond crosses the eastern part of the Premises. Existing land uses in the vicinity include but are not limited to single-family houses and undeveloped land.
2. Upon review of the Proposal, the Town Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal and the Project constitute an Unlisted action under SEQRA.
3. On October 18, 2016 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
6. The Town Board has carefully considered environmental information that was prepared by the Applicant/Project Sponsor's representatives or the Town's staff, which included but was not limited to: a project narrative; a conceptual site plan; aerial photographs; a wetland delineation report (the "Wetland Report"); a preliminary storm water management report (the "Storm Water Report"); and Part 1 of an Environmental Assessment Form (the "EAF"), which was prepared in part by using the New York State Department of Environmental Conservation's (the "NYSDEC") online EAF Mapper application (collectively, the "Environmental Analysis").
7. The Town Board also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant/Project Sponsor's representatives, including but not limited to: oral or written descriptions of the Proposal and the Project; maps and other drawings of the Proposal and

the Project; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant/Project Sponsor's representatives.

8. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to: the Monroe County Department of Planning and Development; the Monroe County Department of Transportation (the "MCDOT"); the Monroe County Department of Public Health; and the Town's own staff.
9. The Town Board also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from owners of nearby properties or other interested parties, and all other relevant comments submitted to the Town Board as of February 15, 2017.
10. The Town Board has carefully considered the Environmental Analysis, which examined the potential effects of the Proposal and the Project on the following principal relevant issues: vehicular traffic; and storm water management and wetlands. A summary of the analyses of these issues and the Town Board's reasoned elaboration supporting its determination of environmental significance follows.
11. Vehicular traffic.
  - a. Description of analysis and impacts. The MCDOT has reviewed the Project and has determined that the nature, location, and size/intensity of the Project do not warrant a traffic impact study; therefore, the Project is not likely to have a significant adverse effect on the existing transportation network. The proposed location of the Project's vehicular access at Flynn Road has been accepted by the MCDOT. In its review of the Project, the MCDOT examined the sight distance to and from said access point, and found it to be acceptable.
  - b. Project design elements or modifications. No modifications for this aspect of the Project are required at this time.
  - c. Conclusions. The existing transportation network can accommodate the projected vehicular traffic from the Project without design modifications.
12. Storm water management and wetlands.
  - a. Description of analysis and potential impacts.
    - i. The Premises currently consist of undeveloped land covered by brush and trees; in the eastern part of the Premises, a tributary stream of Buck Pond flows northward. The Project includes the construction of houses and pavement for driveways and a road that will cross the tributary stream. The Project has the potential for altering drainage patterns and volumes in the area by the construction of impervious surfaces and changes to the drainage characteristics of the area. The Storm Water Report examined existing and proposed topography on the Premises and existing drainage patterns on the Premises and adjoining lands. The Storm Water Report concluded that the Project would create a need for on-site management of storm water runoff quality and quantity. The proposed changes to the Premises must comply with applicable federal, state, and local regulations, including the most recent storm water management guidelines promulgated by the NYSDEC.
    - ii. The Wetland Report identified, delineated the boundaries of, and evaluated three freshwater wetlands on the Premises. The Wetland Report concluded that the tributary stream and one of the wetlands are subject to regulation under the federal Clean Water Act, Section 404, which is administered by the United States Army Corps of Engineers (the "USACE"). The Wetland Report concluded that the other two wetlands are not regulated because they are isolated depressions. The Wetland Report will be submitted to the USACE for review and issuance of a letter of jurisdictional determination. The Applicant/Project Sponsor proposes to fill the smaller of the two isolated, unregulated wetlands (0.045± acres) and less than 0.10 acre of the regulated wetland. The proposed fill of part of the regulated wetland is an unavoidable necessity for the extension of a road into the Premises; there is no practicable way for a road to avoid crossing this wetland.
  - b. Project design elements or modifications.

- i. The Project will include provision of storm water management facilities on the Premises, to be designed to limit peak storm water discharge to rates that are below the pre-development level for precipitation events up to and including the 100-year storm. In order to manage storm water quantity and quality, the Applicant/Project Sponsor will construct one or more surface or subsurface detention facilities and will include “green infrastructure” practices. The storm water management facilities will be designed to include water quality improvement features consistent with the most recent guidelines promulgated by the NYSDEC.
  - ii. Standard construction procedures will be followed to control storm water runoff, erosion, and sedimentation during construction in accordance with all applicable regulations.
  - iii. Buildings and pavement will not encroach into the floodplain of the tributary stream on the Premises, except where the proposed road crosses the tributary. The Project’s design will allow the tributary stream to flow under the proposed road.
  - iv. The Project will avoid encroachment into the majority of the regulated freshwater wetland on the Premises. The Project would result in the filling and loss of not more than 0.10 acre of the wetland; this amount of wetland fill is eligible for a permit that is issued by the USACE. The ability of the tributary stream to flow under the proposed road, as described above, will help to maintain the part of the wetland that is downstream from the proposed road.
- c. Conclusions.
  - i. The Project will not degrade existing storm water conditions on the Premises or on adjacent properties, and may present an opportunity to improve drainage conditions for adjacent properties.
  - ii. The Project will include features that are designed to improve storm water quality before runoff leaves the Premises.
  - iii. The proposed storm water management facilities will avoid or minimize potential adverse impacts on storm water runoff quantity and quality.
  - iv. The Project will not have a significant adverse effect on the tributary stream on the Premises.
  - v. The Project will not have a significant adverse effect on the regulated freshwater wetland on the Premises because the proposed amount of fill is less than 0.10 acre and the Project design will allow the remainder of the wetland to continue; however, the impact will be permanent.
13. The Environmental Analysis examined the relevant issues associated with the Proposal and the Project.
14. The Town Board has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
15. The Town Board has met the procedural and substantive requirements of SEQRA.
16. The Town Board has carefully considered each and every criterion for determining the potential significance of the Proposal and the Project upon the environment, as set forth in SEQRA.
17. The Town Board has carefully considered (that is, has taken the required “hard look” at) the Proposal and the Project and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional relevant information submitted.
18. The Town Board concurs with the information and conclusions contained in the Environmental Analysis.
19. The Town Board has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Town Board’s determination is supported by substantial evidence, as set forth herein.

20. To the maximum extent practicable, the Proposal and the Project as originally designed or as voluntarily modified by the Applicant/Project Sponsor will minimize or avoid potential adverse environmental impacts that were revealed in the environmental review process.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Town Board's own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Town Board determines that the Proposal and the Project will not have a significant adverse impact on the environment, which constitutes a negative declaration.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro  
Nays 0

#59 B- Councilwoman Christodaro offered the following resolution and moved its adoption; seconded by Councilman Conlon:

WHEREAS, Hi-Style Development Corporation (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, to amend the Official Zoning Map of the Town of Greece, New York, relative to property located at 849± Flynn Road; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant's proposal (the "Proposal") is to rezone 10.86± acres of real property (the Premises") from R1-18 (Single-Family Residential) to R1-8 (Single-Family Residential). The Applicant proposes to construct single-family detached houses for sale, with related paved roadway and driveways, utilities, grading, lawns/landscaping/buffering, and other site modifications (the "Project"). The proposed vehicular access for the Premises is via an unsignalized driveway at Flynn Road (Monroe County Route 142, a two-lane local collector). The Premises currently consist of undeveloped land covered by brush and succession-growth trees that followed the Premises having been an open field, possibly used for agriculture in the past; a tributary stream of Buck Pond crosses the eastern part of the Premises. Existing land uses in the vicinity include but are not limited to single-family houses and undeveloped land.
2. Proof was had of the notice of a public hearing on a resolution proposing to amend said Official Zoning Map by rezoning 10.86± acres from R1-18 (Single-Family Residential) to R1-8 (Single-Family Residential), relative to property located at 849± Flynn Road.
3. On October 18, 2016 at 6:16 p.m. in the Greece Town Hall, 1 Vince Tofany Boulevard, the Town Board held a public hearing (the "Hearing") to consider the Proposal, at which time all parties in interest and citizens were afforded an opportunity to be heard.
4. Documentary, testimonial, and other evidence relative to the Proposal was presented at the Hearing for the Town Board's consideration.
5. At the conclusion of the Hearing, the Town Board closed the Hearing and reserved decision on the Proposal, but continued to accept and consider written comments from all parties in interest, citizens, and agencies.
6. The Premises are surrounded by the following zoning districts and land uses:

North: R1-E (Single-Family Residential)—single-family houses.

South: R1-E (Single-Family Residential)—Rochester Gas & Electric Corporation utility right-of-way (70± feet wide) and single-family houses.

East: R1-E (Single-Family Residential)—single-family houses.

Southeast: R1-18 (Single-Family Residential)—undeveloped land.

West: R1-E (Single-Family Residential)—undeveloped land; R1-18 (Single-Family Residential)—undeveloped land and a telecommunications facility (cellular telephone antenna tower and accessory antenna structures; R1-12 (Single-Family Residential)—undeveloped land.

7. On February 15, 2017, in accordance with the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), the Town Board issued a Negative Declaration for the Proposal and the Project (the "SEQRA Negative Declaration"). The SEQRA Negative Declaration indicated that, to the maximum extent practicable, the Proposal and the Project as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were revealed in the environmental review process. The SEQRA Negative Declaration is incorporated herein by reference as if fully set forth, as findings of the Town Board in its decision on the Proposal and the Project.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the request to amend the Official Zoning Map of the Town of Greece, New York, by changing the zoning classification of 10.86± acres from R1-18 (Single-Family Residential) to R1-8 (Single-Family Residential), relative to property located at 849± Flynn Road, as more particularly identified in the description attached hereto, hereby be and the same is denied.

DENIED:       Ayes 5               Reilich, Barry, Granville, Conlon, Christodaro  
              Nays 0

#60 A - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Franks Italian Ices LLC (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for a waiver of requirements for a special use permit to operate a restaurant, with seating for not more than 12 customers at such restaurant, to be known as Franks Italian Ices, on property located at 687 Ling Road, in Shoremont Plaza, in a BR (Restricted Business) Zoning District; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant/Project Sponsor's proposal (the "Proposal") is to operate a restaurant, with seating for not more than 12 customers at such restaurant, within tenant space at an existing multiple-tenant commercial plaza (the "Premises"). The Proposal includes preparation, service, and sale of Italian ices and gelato for consumption on the Premises and for takeout. Weather permitting, outdoor seating for consumption of the Italian ices and gelato will be provided in a limited area that is adjacent to the restaurant. The Proposal does not include outdoor loudspeakers, outdoor cooking, delivery service, or a drive-up service window. Background music and live entertainment (as these terms are defined in the Town's zoning ordinance) will not be provided on a regular, recurring basis. Background music, live entertainment, and the Applicant/Project Sponsor's sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The proposed hours of availability to the public are: Sundays through Saturdays, 1:00 p.m. to 9:00 p.m. Vehicular access for the Premises is via unsignalized driveways at Ling Road (Monroe County Route 143, a two-lane local collector) and Dewey Avenue (Monroe County Route 132, a two-lane urban collector). Existing land uses in the vicinity include but are not limited to apartment buildings, offices, retail and service uses, restaurants, a commercial recreation facility, and light industrial.
2. Upon review of the Proposal, the Town Board determined that the Proposal is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the Proposal constitutes a Type II action under SEQRA. (SEQRA Regulations, § 617.5(c)(1) & (2).)
3. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

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RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action by the Town Board relative to the Proposal.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro  
Nays 0

#60 B - Councilman Barry offered the following resolution and moved its adoption; seconded by Councilman Granville:

WHEREAS, Franks Italian Ices LLC (the "Applicant") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for a waiver of requirements for a special use permit to operate a restaurant, with seating for not more than 12 customers at such restaurant, to be known as Franks Italian Ices, on property located at 687 Ling Road, in Shoremont Plaza, in a BR (Restricted Business) Zoning District; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. In summary, the Applicant's proposal (the "Proposal") is to operate a restaurant, with seating for not more than 12 customers at such restaurant, within tenant space at an existing multiple-tenant commercial plaza (the "Premises"). The Proposal includes preparation, service, and sale of Italian ices and gelato for consumption on the Premises and for takeout. Weather permitting, outdoor seating for consumption of the Italian ices and gelato will be provided in a limited area that is adjacent to the restaurant. The Proposal does not include outdoor loudspeakers, outdoor cooking, delivery service, or a drive-up service window. Background music and live entertainment (as these terms are defined in the Town's zoning ordinance) will not be provided on a regular, recurring basis. Background music, live entertainment, and the Applicant's sponsorship of, affiliation with, permission for, or participation in one-time or recurring special or promotional events on the Premises will be subject to the requirements and restrictions of the Code of the Town of Greece, New York, Chapter 175 (Special Events). The proposed hours of availability to the public are: Sundays through Saturdays, 1:00 p.m. to 9:00 p.m. Vehicular access for the Premises is via unsignalized driveways at Ling Road (Monroe County Route 143, a two-lane local collector) and Dewey Avenue (Monroe County Route 132, a two-lane urban collector). Existing land uses in the vicinity include but are not limited to apartment buildings, offices, retail and service uses, restaurants, a commercial recreation facility, and light industrial.
2. Based on the Town Board's review of relevant documentary, testimonial, and other evidence, the location, nature, duration, and intensity of the Proposal: (a) will not adversely affect the orderly pattern of development in the area; (b) will be in harmony with nearby uses; (c) will not alter the essential character of the nearby neighborhood, nor be detrimental to the residents thereof; (d) will not create a hazard to health, safety, or the general welfare; (e) will not be detrimental to the flow of traffic; and (f) will not place an excessive burden on public improvements, facilities, services, or utilities.
3. Public utility service and vehicular access are adequate for the Proposal.
4. The size and shape of the Premises are adequate for the Proposal.
5. Having considered the Proposal and all additional information that may be relevant to the Proposal, it is in the public interest to grant the requested waiver of requirements to obtain a special use permit.

NOW THEREFORE, be it

RESOLVED that, based on the aforementioned information, testimony, documentation, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), the request submitted by Franks Italian Ices LLC (the "Applicant") for a waiver of requirements for a special use permit to operate a restaurant, with seating for not more than 12 customers at such restaurant, to be known as Franks Italian Ices, on property located at 687 Ling Road, in Shoremont Plaza, in a BR (Restricted Business) Zoning District, hereby be and the same is approved and granted, subject to the following conditions:

1. The Applicant shall operate this restaurant in conformity with all details of the Proposal, as described in the written descriptions and various plans of the Proposal, and as set forth herein. In the event of any conflict among the written descriptions of the Proposal, the various plans of the Proposal, or the requirements or restrictions of this resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.



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2. The maximum occupancies in this restaurant shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code and all applicable requirements for the installation/maintenance of a grease trap. Failure to comply with such requirements may be grounds for revocation of this special use permit.
4. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
5. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
6. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.
7. Upon the sale or other transfer of controlling interest in this restaurant to any person or entity other than Franks Italian Ices LLC, its wholly owned subsidiaries, or its franchisees, a new application for a special use permit must be submitted to the Town Board.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro  
Nays 0

#61 A - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

WHEREAS, Indus Real Estate II, Inc. (the "Applicant/Project Sponsor") has submitted a request to the Town Board (the "Town Board") of the Town of Greece (the "Town"), Monroe County, New York, for two extensions, each for a period of three months, of the time limit on the March 15, 2016, approval for a special use permit to operate a restaurant, to be known as Starbucks, on property located at 2585 West Ridge Road and 1271 Long Pond Road, in a BR (Restricted Business) Zoning District; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. On March 15, 2016, the Town Board approved the Applicant/Project Sponsor's request for a special use permit to operate a restaurant (the "2016 Special Use Permit Approval") in part of a new building that is to be constructed on the sites of two former commercial buildings which have been demolished (the "Premises").
2. Pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the "Zoning Ordinance"), a special use permit shall expire if the use does not begin operation within one year of the date on which approval for such permit was granted (Zoning Ordinance, Section 211-60A(4)(a)[1]).
3. The Applicant/Project Sponsor has not yet begun construction of the proposed restaurant, and said restaurant will not begin operation before the 2016 Special Use Permit Approval expiration date of March 15, 2017.
4. The Applicant/Project Sponsor has requested two extensions, each for a period of three months, of the 2016 Special Use Permit Approval in accordance with the provisions of the Zoning Ordinance, Section 211-60A(4)(b).
5. On March 16, 2016, the Town's Planning Board approved a site plan for the construction of the proposed building that would house the restaurant.
6. The Applicant/Project Sponsor has proposed no changes in the location, nature, duration, or intensity of the construction and operation of the proposed restaurant.
7. The Applicant/Project Sponsor's current request amounts to a renewal of the 2016 Special Use Permit Approval, and there will be no material change in permit conditions or the scope of permitted activities.
8. Upon review of the Applicant/Project Sponsor's current request, the Town Board determined that said request is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA

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Regulations”) (collectively, “SEQRA”), and that said request constitutes a Type II action under SEQRA. (SEQRA Regulations, § 617.5(c)(26).)

9. According to SEQRA, Type II actions have been determined not to have a significant adverse impact on the environment and are not subject to further review under SEQRA.

NOW, THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, SEQRA does not require further action relative to the Applicant/Project Sponsor’s current request.

ADOPTED: Ayes 5 Reilich, Barry, Granville, Conlon, Christodaro  
Nays 0

**#61 B** - Councilman Granville offered the following resolution and moved its adoption; seconded by Councilwoman Christodaro:

WHEREAS, Indus Real Estate II, Inc. (the “Applicant”) has submitted a request to the Town Board (the “Town Board”) of the Town of Greece (the “Town”), Monroe County, New York, for two extensions, each for a period of three months, of the time limit on the March 15, 2016, approval for a special use permit to operate a restaurant, to be known as Starbucks, on property located at 2585 West Ridge Road and 1271 Long Pond Road, in a BR (Restricted Business) Zoning District; and

WHEREAS, having carefully considered all relevant documentary, testimonial, and other evidence submitted, the Town Board makes the following findings:

1. On March 15, 2016, the Town Board approved the Applicant’s request for a special use permit to operate a restaurant (the “2016 Special Use Permit Approval”) in part of a new building that is to be constructed on the sites of two former commercial buildings which have been demolished (the “Premises”).
2. Pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the “Zoning Ordinance”), a special use permit shall expire if the use does not begin operation within one year of the date on which approval for such permit was granted (Zoning Ordinance, Section 211-60A(4)(a)[1]).
3. The Applicant has not yet begun construction of the proposed restaurant, and the restaurant will not begin operation before the 2016 Special Use Permit Approval expiration date of March 15, 2017.
4. The Applicant has requested two extensions, each for a period of three months, of the 2016 Special Use Permit Approval in accordance with the provisions of the Zoning Ordinance, Section 211-60A(4)(b).
5. On March 16, 2016, the Town’s Planning Board approved a site plan for the construction of the proposed building that would house the restaurant.
6. The Applicant has proposed no changes in the location, nature, duration, or intensity of the construction and operation of the proposed restaurant.
7. In the 2016 Special Use Permit Approval, the Town Board found that the location, nature, duration, and intensity of the proposed restaurant: (a) would not adversely affect the orderly pattern of development in the area; (b) would be in harmony with nearby uses; (c) would not alter the essential character of the nearby neighborhood, nor be detrimental to the residents thereof; (d) would not create a hazard to health, safety, or the general welfare; (e) would not be detrimental to the flow of traffic; and (f) would not place an excessive burden on public improvements, facilities, services, or utilities.
8. The Applicant’s current request amounts to a renewal of the 2016 Special Use Permit Approval, and there will be no material change in permit conditions or the scope of permitted activities.
9. The Applicant’s request for extensions of the 2016 Special Use Permit Approval are warranted by the particular circumstances of said request, for the reasons stated hereinabove.

NOW THEREFORE, be it

RESOLVED that, based on the aforementioned information, documentation, testimony, and findings, pursuant to the authority conferred by New York State Town Law, Article 16, and pursuant to the Code of the Town of Greece, New York, Chapter 211 (Zoning) (the “Zoning Ordinance”), the request submitted by Indus Real Estate II, Inc. (the “Applicant”) for two extensions, each for a period of three months, of the time limit on

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the March 15, 2016, approval for a special use permit to operate a restaurant, to be known as Starbucks, on property located at 2585 West Ridge Road and 1271 Long Pond Road, in a BR (Restricted Business) Zoning District, hereby be and the same is approved and granted, said extensions to run until September 15, 2017, subject to the following conditions:

1. The Applicant shall operate this restaurant in conformity with all details of the Proposal, as presented in the written descriptions and various maps, plans and illustrations of the Proposal, as orally described at the Hearing, and as set forth herein. In the event of any conflict among the oral or written descriptions of the Proposal, the various maps, plans and illustrations of the Proposal, or the requirements or restrictions of this resolution, the Town Board, in its sole discretion and judgment and without hearing, shall determine the resolution of such conflict.
2. The maximum occupancies in this restaurant shall be the limits established by the Town's Fire Marshal pursuant to the New York State Uniform Fire Prevention and Building Code.
3. The Applicant shall comply with all applicable federal, state, county, and Town laws, ordinances, codes, rules, and regulations, including but not limited to the New York State Uniform Fire Prevention and Building Code and all applicable requirements for the installation/maintenance of a grease trap. Failure to comply with such requirements may be grounds for revocation of this special use permit.
4. Wherever this resolution refers to a specific applicant, developer, or operator, it shall be construed to include successors and assigns.
5. Wherever this resolution refers to a specific public official or agency, it shall be construed to include agents, designees, and successors.
6. Wherever this resolution refers to a specific law, ordinance, code, rule, or regulation, it shall be construed to include any superseding or succeeding authority.
7. Upon the sale or other transfer of controlling interest in this restaurant to any person or entity other than Indus Real Estate II, Inc., its wholly owned subsidiaries, its franchisors, or its franchisees, a new application for a special use permit must be submitted to the Town Board.

ADOPTED: Ayes 5  
Nays 0

Reilich, Barry, Granville, Conlon, Christodaro

Meeting adjourned at 8:50 p.m.

February 27, 2017 Cheryl M. Rozzi  
Date Cheryl M. Rozzi, Town Clerk

Feb. CSC Items:

- Fred Lampey, 125 Princess Drive, Rochester, NY 14623; Contract to provide entertainment at the St. Patrick's Day Party on Thursday March 16, 2016 from 12:30-2:30pm in the amount of \$275.00.
- Joe Miltsch, Musique, 2300 Latta Rd, Rochester, NY 14612; Contract to provide entertainment at the Valentine's Party on February 14 in the amount of \$350.00.
- Fred Amato, 268 Morrow Drive, Rochester, NY 14616; Contract to provide a presentation for the Time Out for Women on March 1, in the amount of \$50.00.
- Harvey Evans, 709 Cogdell, Webster, NY 14580; Contract to provide entertainment for Meal Time Music on March 23 in the amount of \$100.00.
- Rick Ventura, 948 Edgemere Drive, Rochester, NY 14612; Contract to provide dj services for a Family Winter Dance on February 23 in the amount of \$115.00.
- Jean Jesserer Smith, 511 List Ave, Rochester, NY 14617; Contract to provide presentation for Time Out for Women program on March 8 in the amount of \$150.00.
- Helene Marlowe, 3236 East Henrietta Rd, Rochester, NY 14467; Contract to provide a presentation for the Time Out for Women program on March 15 in the amount of \$75.00.

Action	Account	Description	Amount
1 Final adjustments to balance various accounts for 2016 year end.			
From	A.1330.0000.804	Tax Receiver.Benefits	\$ (1,861.20)
To	A.1330.0000.411	Tax Receiver.Contracts	\$ 1,861.20
From	A.1320.0000.419	Audit.Professional Services	\$ (8,000.00)
From	A.1355.0000.419	Assessor.Professional Services	\$ (44,000.00)
From	A.1410.0000.409	Clerk.Publications	\$ (9,699.20)
From	A.1410.0000.804	Clerk.Benefits	\$ (15,000.00)
From	A.1410.0000.411	Clerk.Contracts	\$ (1,800.00)
From	A.1420.0000.101	Attorney.Salaries	\$ (4,700.00)
To	A.1420.0000.419	Attorney.Professional Services	\$ 86,699.20
From	A.1420.0000.801	Attorney.Retirement	\$ (3,500.00)
To	A.1430.0000.419	Personnel.Professional Services	\$ 170,125.15
From	A.1450.0000.428	Elections.Rental/Equipment	\$ (9,000.00)
From	A.1480.0000.103	Constituent Services.Wages PT	\$ (9,125.15)
From	A.1480.0000.419	Constituent Services.Professional Services	\$ (15,000.00)
From	A.1480.0000.801	Constituent Services.Retirement	\$ (8,000.00)
From	A.1480.0000.804	Constituent Services.Benefits	\$ (19,000.00)
From	A.1490.0000.101	Public Works Admin.Salaries	\$ (52,000.00)
From	A.1490.0000.104	Public Works Admin.Wages SE	\$ (7,000.00)
From	A.1490.0000.801	Public Works Admin.Retirement	\$ (19,000.00)
From	A.1490.0000.804	Public Works Admin.Benefits	\$ (32,000.00)
To	A.1610.0000.414	Shared Services.Printing/Mailing	\$ 8,390.13
From	A.1620.0000.424	Buildings.Utilities	\$ (2,190.13)
From	A.1620.0000.801	Buildings.Retirement	\$ (6,200.00)
To	A.3650.0000.411	Property Cleanup, Contracts	\$ 4,968.87
From	A.3620.0000.101	Inspection, Salaries	\$ (210.37)
From	A.3620.0000.406	Inspection, Conference	\$ (4,758.50)
From	A.7110.0000.102	Parks.Overtime	\$ (573.98)
From	A.7110.0000.104	Parks.Wages SE	\$ (1,600.00)
From	A.7110.0000.105	Parks.Longevity	\$ (1,400.00)
To	A.7110.0000.411	Parks.Contracts	\$ 17,169.39
To	A.7110.0000.424	Parks.Utilities	\$ 3,404.59
From	A.7020.0000.701	Recreation.Interest	\$ (16,300.00)
From	A.7110.1000.293	Park Shelters.Land Improvement	\$ (1,005.34)
To	A.7110.1000.424	Park Shelters.Utilities	\$ 1,005.34
From	A.7020.0000.421	Recreation.Field Supplies	\$ (2,035.03)
From	A.7020.0000.424	Recreation.Utilities	\$ (5,000.00)
To	A.7550.0000.411	Community Events.Contracts	\$ 7,035.03
To	A.7610.0000.445	Adult Programs.Program Expenses	\$ 5,850.31
From	A.7140.0000.411	Summer Programs.Contracts	\$ (1,950.31)
From	A.7140.0000.445	Summer Programs.Program Expenses	\$ (4,600.00)
From	A.9950.0000.292	Transfer to Capital.Building Improvements	\$ (7,070,000.00)
To	A.9950.0000.997	Transfer to Capital.Transfers	\$ 7,070,000.00
From	SD.9950.0000.291	Transfer to Capital.Infrastructure Improvements	\$ (665,200.00)
To	SD.9950.0000.997	Transfer to Capital.Transfers	\$ 665,200.00
Adjust	A.1120.0000.000	Sales Tax Revenue	\$ 550,000.00
Adjust	A.1560.0000.000	Abandoned Property Charges	\$ 150,000.00
Adjust	A.3005.0000.000	Mortgage Tax	\$ 55,000.00
Adjust	A.5031.0000.000	Transfers from Other Funds	\$ (755,000.00)

Town of Greece  
2017 Budget Modifications

Town Board Agenda  
February, 2017

Action	Account	Description	Amount
<b>1 Adjustment to fund development of a new Town Master Plan.</b>			
From Fund Balance to	A.8020.0000.419	Planning, Professional Services	\$ 80,000.00
<b>2 Adjustment to fund Phase I of flourescent light conversion to LEDs in various town owned buildings.</b>			
From Fund Balance to	A.1620.0000.411	Buildings, Contracts	\$ 75,000.00
From Fund Balance to	L.7410.0000.411	Library, Contracts	\$ 23,000.00
<b>3 To reappropriate unexpended funds for Tobacco Compliance Grant.</b>			
From Fund Balance to	A.3120.0009.102	Police Tobacco Grant.Overtime	\$ 6,570.00
From Fund Balance to	A.3120.0009.445	Police Tobacco Grant.Program Expenses	\$ 390.00
<b>4 To reappropriate donations to the Library.</b>			
From Fund Balance to	L.7414.0000.445	Library Donations.Program Expenses	\$ 17,483.92